DOCUMENT RESUME

ED 250 882 EC 171 119

AUTHOR	Lee, Marjorie; Johns, Beverly
TITLE	Special Education from the Parents' Point of View.
INSTITUTION	Illinois Alliance for Exceptional Children and Adults, Champaign, IL.
SPONS AGENCY	Department of Education, Washington, DC.; Illinois State Board of Education, Springfield.
PUB DATE	[84]
NOTE	13p.
PUB TYPE	Guides - Non-Classroom Use (055)
EDRS PRICE	MF01/PC01 Plus Postage.
DESCRIPTORS	*Disabilities; Elementary Secondary Education; Federal Legislation; Individualized Education Programs; Parent Materials; *Parent Participation; *Parent Role; *Parent School Relationship; *Special Education; State Legislation; Student Placement

ABSTRACT

The booklet is designed to emphasize in simple terms the important points of the federal and state (Illinois) law related to special education. The following topics are covered: special education parents (parent role); parent-school partnerships (parent training); mandates for special education; individualized education programs (content, development); least restrictive environment; conflict resolution procedures (mediation); due process (hearing, state-level reviews); completion of high school programs; preparation for the transition to adult life (state resources); and parent advocacy (citizen advisory committees, parent associations). (CL)

****
* Reproductions supplied by EDRS are the best that can be made *
* from the original document. *
****

ED250882

SPECIAL EDUCATION FROM THE PARENTS' POINT OF VIEW

U.S. DEPARTMENT OF EDUCATION
NATIONAL INSTITUTE OF EDUCATION
EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)

☑ This document has been reproduced as received from the person or organization originating it.

☐ Minor changes have been made to improve reproduction quality.

• Points of view or opinions stated in this document do not necessarily represent official NIE position or policy.

developed by
Illinois ALLIANCE For Exceptional Children And Adults
A COMMUNICATING, CONCERNED COALITION SERVING ILLINOIS

"PERMISSION TO REPRODUCE THIS MATERIAL HAS BEEN GRANTED BY

M. Niederer

TO THE EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)."

Illinois ALLIANCE for Exceptional Children and Adults
A Communicating, Concerned Coalition Serving Illinois

President: Alice Kelly
2005 Clover Lane
Champaign, Illinois 61820
217/359-5345

ALLIANCE Members

Association of Advocacy & Education for Disabled Children
Association for Retarded Citizens of Illinois
Chicago Catholic Charities
Concerned People for Exceptional Children
Illinois Adult Continuing Education Association
Illinois Association for Citizens with Learning Disabilities
Illinois Association of Educators for Visually Handicapped
Illinois Association of School Nurses
Illinois Association of School Social Workers
Illinois Association of Workers for the Blind
Illinois Congress of Parents & Teachers
Illinois Council for Exceptional Children
Illinois Head Start
Illinois Parents of the Deaf/Blind
Illinois Parents of the Hearing Impaired
Illinois School Psychologists Association
Illinois Society for Autistic Children
Illinois Speech & Hearing Association
Illinois Spina Bifida Association
National Association for Downs Syndrome
Parents Association for Handicapped Citizens
Parents Association for Illinois School for the Visually Impaired
Parents Encouraging Exceptional Kids
Parents & Other Supporters of Special Education
Progressive Action for the Handicapped
Special Education Parents Alliance
United Cerebral Palsy of Illinois
University Council for Vocational Education in Illinois

Associate Members

Governor's Council on Developmental Disabilities
Illinois Association of School Administrators
Illinois Association of School Boards
Illinois Catholic Conference
Illinois Department of Children & Family Services
Illinois Department of Corrections
Illinois Department of Rehabilitation Services
Illinois Principals Association
Illinois State Medical Society

Special Education from the Parents' Point of View

Foreword

Early in the era of Public Law 94-142 (Education of All Handicapped Children Act) a booklet on "Parenting in Special Education" was prepared and distributed by the Illinois ALLIANCE for Exceptional Children and Adults.

The booklet was well-received and has been very helpful to parents of students in special education.

This revised edition entitled "Special Education from The Parents' Point of View" has been prepared to update some of the information published in the first booklet.

The intent of this publication is to emphasize in simple terms the important points of the Federal and State law related to special education.

Special Education Parents

Parenting has always played an important role in life. However, parenting a handicapped child is a role with some unique challenges. During the period of the child's life from birth to twenty-one years of age, a major part of parenting relates to the youngster's education.

Parents have an important involvement in helping plan the education of their "special" child. Teachers and school administrators will come and go in the child's life, and while they may be profoundly affected by what happens to the child, their involvement is temporary in nature, whereas the lives of the child and the family will be intertwined for an entire lifetime. For that reason, parents should play an important role in helping to determine the long-range goals of the child's individualized education program.

Attitudes among parents may differ widely. Some may be clinging to the idea that special education means separate education with educators alone determining what the child should learn. Many favor the trends and the rights under the Education of All Handicapped Children Act (Public Law 94-142). These include a free, appropriate public education in the least restrictive environment with parent participation in planning the child's individualized education program.

It is important that parents recognize that they can make a valuable contribution to their child's educational program. No matter whether the parent is skilled or unskilled in the educational field, the parent is an expert in knowing the child's accomplishments, daily living skills, and the family's hopes and plans for the student's future life.

Equal Partners

Since the passage of P.L. 94-142, the Education of All Handicapped Children Act, parents have become more active participants in the educational programming of their handicapped children.

Rules and regulations require school districts to include parents as equal partners in the decision making regarding their child's educational program. Districts must notify parents of conferences concerning the child, schedule these meetings at a mutually convenient time, provide for parent input by phone or through home visits if necessary, and arrange for an interpreter if parents are deaf or speak a language other than English.

Many parents have recognized their responsibility and their right to be co-equal in the IEP and multidisciplinary staff conferences. Many parents have benefited from the assistance of advocates or advocacy groups to assist them in understanding pertinent regulations and alternative educational opportunities for their child. Some parents, however, still need to understand their right to participate fully in conferences, to request additional information and to ask for explanations and clarification of educational terminology or jargon.

Training opportunities are continually being developed at both the state and local level to help parents learn more about educational laws and programs for their special education children. It is important for educators to provide these workshops, and it is important for parents to attend them. Parents will want to check with their local district superintendent to learn about parent training programs being offered.

There are many other ways that parents can gain knowledge about their child's needs and the services that should be available to meet these needs. One of the best methods is parent-to-parent contact. This is possible on an individual basis, e.g., sharing experiences with another family whose child may be similar, or by participating in organized groups developed for and by parents of handicapped students.

Starting Points

Several general items of information should be mentioned here that are important, but do not require detailed discussion.

First, the primary responsibility for the education of every handicapped child lies with the superintendent of the district in which the child resides. Although several districts may be combined in a special education cooperative, this does not relieve the local superintendent of his/her responsibility for each child. Parents should look to the district superintendent as their initial and continuing point of contact in matters related to the education of their handicapped child.

Second, the Federal law requires that the public school system be responsible for the education of every handicapped child. The technical term is "zero-reject," but the simple explanation is that no handicapped child will be excluded from the educational system no matter how severe his/her handicap.

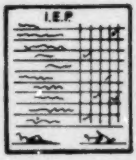
A child is eligible for special education services if he or she is deaf, deaf-blind, hard of hearing, mentally retarded, multihandicapped, orthopedically impaired, health impaired, learning disabled, speech impaired, visually handicapped, or emotionally disturbed. This list of exceptional characteristics is taken from Public Law 94-142 and varies slightly from the terms adopted by the State of Illinois.

Mandates Assure a Handicapped Child's Education

Requirements at both the Federal and the State levels state that all handicapped children must receive a free, appropriate public education. At the Federal level, there is Public Law 94-142—the Education of All Handicapped Children Act. At the State level, school districts within the State of Illinois have been required to provide special education programs for handicapped children, ages 3 to 21, through statutes in the Illinois School Code, Article XIV. At both the Federal and State levels, there are accompanying regulations for these mandates.

Beginning in the spring of 1981, there were movements at both the Federal and State levels to eliminate these mandates. Attempts have been made to rewrite regulations at both levels. The current situation, however, is that the special education mandates have *not* been changed. It is important to recognize that the voice of parents and special educators expressed through testimony at public hearings has been a major factor in protecting these special education mandates.

Individualized Educational Program: IEP



For each handicapped student a plan must be developed to map out the course of his/her education. This plan is called an individualized education program (IEP). It is to be in written form and is to be developed in a special meeting called the "IEP Conference." The conference participants shall include a representative of the special education agency, the child's teacher, the

parents, the child (where appropriate), and other persons at the discretion of the parents or the school.

The IEP must include a statement of the present level of educational performance, annual goals and short-term objectives, a statement of specific special education and related services, a statement of the extent to which the child may be able to participate in the regular education program, projected dates for these services, and a plan to evaluate progress.

To enhance the child's ability to fully participate in a special education program, some related services may be necessary. These related services may include, but are not limited to, speech therapy; occupational therapy; physical therapy; social work, psychological, and counseling services; etc. An instructional aid and/or a specialized piece of equipment may also be provided to assist a child in his/her assigned classroom program. Here again, parents are encouraged to feel comfortable about asking questions and making sure that they understand the terminology being used.

Parents should be encouraged to prepare in advance their own thoughts in written form to present at the IEP conference. No matter how simple this may be, it may provide additional insight into the child's ability to function at home and in the community. This also provides an opportunity for parents to identify their own goals for their child.

Parents should know that they are allowed to bring another person with them to the IEP conference if they feel a need for someone to help them understand or express their input.

It is sometimes difficult for parents to realize that their special education student has need for vocational skills as well as academic skills. A marketable skill for employment should be a part of the young person's education. The IEP conference provides an appropriate opportunity to plan this aspect of the student's education—regardless of the age of the child.

Parents may be requested to sign the IEP. If so, they should be certain that they understand it, are in agreement with the plan, and have had an opportunity to help develop it. Parents should ask for a copy of the IEP.

As parents have become more active participants in the educational process, some administrators have felt that parents have asked for more services than are needed or can be provided. Some have argued that an "appropriate" education does not necessarily mean "best possible" education. Other problems have developed when parents seek an outside evaluation—medical or psychological. The cost of such evaluations and the acceptance of them also have become issues.

It seems imperative to realize that good communication between parents and educators is basic and that feelings of trust and cooperation need to be developed between them. It also is important to recognize that economic factors do impose some limits on educational services.

What Is Meant by "Least Restrictive Environment"?

The current emphasis in special education is that handicapped children have the right to be educated in regular school buildings unless the severity of the handicap makes this impossible. There are different interpretations of this, and there are different patterns of participation.

It is difficult to explain all the possible alternatives. There are some mildly handicapped students who may be able to participate in regular classrooms with additional help from a special education teacher to supplement their regular teacher. There are other children who may need a special education classroom for almost the entire day, but may profit from interaction with regular students in physical education classes, cafeteria and other special activities. There are many variations between and beyond these examples.

The law is clear, however, in indicating that each handicapped child must be provided with a free, appropriate education, based on his or her unique needs—and that these special education services must be provided in the least restrictive environment. As a general rule, the more severe the child's handicapping condition, the more complicated and complex the education program must be to meet those needs, and perhaps the more "special" the setting in which to provide these services.

On the other hand, there are many students who have been placed in self-contained or isolated settings in the past who could have benefited from interaction with normal age-mates. Too often there have not been alternative programs available.

Conflict Resolution

If you are not satisfied with your child's special education program, speak up. Try to resolve the differences between the district and you at the local level first. Contact your local school district superintendent or special education director to resolve the differences.

If you do not receive satisfaction, the Illinois State Board of Education has established a conflict resolution system which you may access. This system has been established to assist parents and school districts in resolving differences in a non-adversarial manner. Individuals or organizations wishing to file a complaint or obtain assistance in resolving a conflict may do so by phoning the Illinois State Board of Education, Department of Specialized Educational Services at 217/782-6601.

The differences may be resolved through phone calls or a visit by the Illinois State Board of Education staff, or a mediator (an impartial third party) may be assigned to help guide both sides in seeking a mutually agreeable resolution to their disagreement. The conflict resolution system is not intended to replace one's right to due process. It is, however, an option or alternative about which you may want to inquire when differences arise.

Due Process

A very special administrative procedure called "due process" is available to parents if they disagree with the educational program for their handicapped child. Although parents can obtain assistance from an advocate(s) in planning their case, the framework has been set up and is fully explained in the Illinois Rules for Special Education.

An impartial hearing officer is selected to conduct a local hearing. Parents and educators both develop information to substantiate their points of view. This often is the time when parents review the student's records. The records are open to them, and copies may be made available at nominal cost. Parents also may request the deletion of inaccurate, misleading, or irrelevant information in the child's records. The administration may honor this request or may disagree. An unsatisfactory revision of the records, however, can in itself be the basis for due process.

The hearing is a rather formal meeting. The parents may present their own case or may be represented by an advocate if they choose. This advocate may be a lawyer, an educator, another parent, or any person who can help the parents present their objection and supporting information. The school system usually is well represented by administrators, teachers, therapists, psychologists, and social workers who have been or will be involved in the child's education.

A transcript of the hearing is made either directly by a court reporter or as a typed copy of the tape-recorded proceedings. The hearing officer has ten calendar days in which to weigh the evidence, make a decision, and send that decision by certified mail to the school district, the parents, and the Illinois State Board of Education.

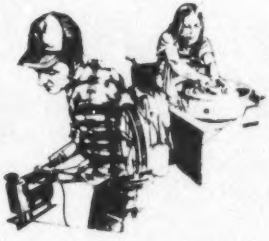
If the decision at the local hearing is not acceptable to either party, a state-level review may be conducted on request. More details on these procedures are readily available from the Department of Specialized Educational Services, Illinois State Board of Education.

Diploma or Continuing Education

Although the Federal and State laws provide for special education up to and including age twenty-one, many special education students graduate at eighteen or nineteen years of age. Both parents and students should be aware that special education services *terminate* following the granting of a high school diploma. Members of the multidisciplinary team determine when it is best for the student to complete his/her high school program. Parents play an important role in that determination.

New trends have been developing in recent years to provide additional educational opportunities in some junior colleges and universities. However, these post-secondary programs are not funded under P.L. 94-142 which covers only elementary and secondary education. This means tuition costs to the handicapped students unless the programs are funded from other sources.

Preparing for the Transition to Adult Life



Before their child reaches the moment of graduation from high school, parents should be prepared to assist him/her in making the transition to adult life.

The transition should occur over a long period of time with emphasis during the junior high and high school years on developing vocational skills and understanding the structure of adult service programs provided through agencies such as the Department of Rehabilitation Services, the Job Partnership Training Act (formerly known as CETA), and private agency programs for employment possibilities. In addition, financial assistance may be available through Social Security, Medicare, Supplemental Security Income, and Medicaid.

The network of employment and financial aid is difficult to understand. Eligibility requirements are based on intellectual level or degree of physical handicap, ability to make progress, and sometimes family finances. These eligibility factors are different in each agency.

It is important for families to seek introductory information from vocational counselors or the school special education staff to understand the adult service programs and perhaps to arrange for the necessary connecting link at the time of graduation.

It is even more important for the family to recognize the need for vocational emphasis in the student's IEP so that a marketable skill can be developed as preparation for employment.

Don't Forget the Big Picture

It is possible to generalize too broadly on any single pattern of education for a handicapped student. The IEP approach is a good reminder for all parents that each student is unique—and that the role of each set of parents is equally unique in relation to the special education pattern for their child.

There is one role that parents do share equally, however, and that is the role of providing "consumer input" to the educators and school boards. Local school boards have considerable power in determining the quality of all programs in the schools—including special education for handicapped students. Parents should be encouraged to attend meetings of their district board and the boards of their special education cooperatives. Opportunities to present issues usually are available if requests to be included in the agenda are made in advance.

Citizen advisory committees are another excellent channel of communication that should be utilized as special education parents continue to grow in strength as an important component in the educational world.

It is important to stress that public hearings occur frequently when new regulations are being proposed or changes are being contemplated in existing regulations. The testimony by parents at such hearings is very valuable and reaches a listening ear sometimes more quickly than the testimony of professionals. It is not always necessary to be expert in understanding the technicalities involved. Instead, a simple statement can be very significant if it stresses the value of special education to your child with perhaps concrete examples of the benefits gained.

Information about such hearings is usually available through major parent organizations and advocacy groups, including the Illinois ALLIANCE for Exceptional Children and Adults, and announcements are made public by the agencies holding the hearings. Some of these agencies and commissions are the Illinois State Board of Education, Illinois School Problems Commission, Illinois Adult Vocational and Technical Education Advisory Council, and other similar groups.

A Final Reminder

In this small booklet we have attempted to explain only a few major segments of the information that parents need to know about special education and vocational education.

More detailed information on any of these topics and answers to many additional questions are readily available.

For *special education* information, contact:

Department of Specialized Educational Services
Illinois State Board of Education
100 North First Street
Springfield, Illinois 62777
Phone — 217/782-6601

For *vocational education* information, contact:

Consultant Services Section
Department of Adult Vocational and Technical Education
Illinois State Board of Education
100 North First Street
Springfield, Illinois 62777
Phone — 217/782-4877

This booklet was written by Marjorie Lee and Beverly Johns of the Illinois ALLIANCE for Exceptional Children and Adults and based on an earlier publication written by Marjorie Lee and Dr. Robert Henderson of the University of Illinois at Champaign-Urbana.

The contents of this publication do not necessarily reflect the views or policies of the U.S. Department of Education or the Illinois State Board of Education.

Illinois ALLIANCE for
Exceptional Children and Adults
2005 Clover Lane
Champaign, Illinois 61820

Printed by the Authority of the State of Illinois